

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL NO. 3:98CV394

CALVIN R. LUCKEY, and wife PEGGY)

G. LUCKEY, *et al.*,)

This document pertains to:)

HAZEL S. BOONE, Individually and)

as Executrix of the Estate of Billy H.)

Boone, Deceased, and HAZEL B.)

MULLIS, Individually and as)

Executrix of the Estate of Jerry R.)

Mullis, Deceased,)

Plaintiffs,)

Vs.)

A. W. CHESTERTON, *et al.*,)

Defendants.)

ORDER

THIS MATTER is before the Court on the joint motion of the specific Plaintiffs captioned above and the Defendant Owens-Illinois, Inc., to dismiss their claims against said Defendant.

For the reasons stated in the motion,

IT IS, THEREFORE, ORDERED that the joint motion to dismiss is **ALLOWED**, and the claims of Plaintiff Hazel S. Boone, Individually and as

Executrix of the Estate of Billy H. Boone, Deceased, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITH PREJUDICE.**

IT IS FURTHER ORDERED that the claims of Plaintiff Hazel B. Mullis, Individually and as Executrix of the Estate of Jerry R. Mullis, Deceased, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITHOUT PREJUDICE.**

Signed: April 4, 2007

A handwritten signature in black ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

